

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – Adilabad District – Mudhole (Mandal) – Salapur (Village) – O.P.No.21/91 – Appeal filed – Dismissed - SLP filed – Dismissed by the Hon'ble Supreme Court of India - Sanction of Rs.1,05,669/- - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO.576

DATE:25.07.2008

Read:

From the Spl.CS to Govt & Chief Commissioner of Land Admn.AP, Hyd
CCLA's Lr.No.SRP2/1544/2007, dated 03.06.08 alongwith the proposal of
the Spl.Collector, LA, SRSP, SSP, JCRGLIP,Hyd.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad has submitted the proposals for sanction of an amount of Rs.15,23,948/- in respect of O.P.No.21/91 pertaining to Salapur (V), Mudhole (M), Adilabad District. The then SDC, LA-cum-Loc, Unit, Pochampad had acquired the land to an extent of Ac.2.32 gts dry, Inam land situated at Salapur (V) Mudhole (M) for the purpose of Submergence under SRSP, paying the Market value @Rs.2,900/- per acre vide Award No.11/190-91, dt:19.02.91. On a reference made, U/s 18 the Sub-ordinate Judge, Nirmal disposed off O.P.No.21/1991 by a order and decree dt:03.11.1993, awarding the market value Rs.10,000/- per acre for Dry lands. Aggrieved by the enhancement ordered by the Civil Court, the Govt has preferred an Appeal. The Hon'ble H.C in their order dt:23.01.01 in A.S.No.212/1994 dismissed the appeal filed by the State. As per the opinion of G.P for Appeals, H.C of A.P, Hyd in his letter dt:29.03.2001 and as per the orders issued in G.O.Rt.No.146, Law (I) Deptt, dt:18.02.2001, SLP was filed before the Supreme Court of India. The Supreme Court of India vide SLP C.A.No.9538/2001 has dismissed the SLP on 01.02.2002.

2) After careful examination of the matter, Government hereby accord sanction for an amount of Rs.1,05,669/- (Rupees One lakh five thousand six hundred and sixty nine only) towards decretal charges in O.P.No.21/91 pertaining to Salapur (V) Mudhole (M) of Adilabad District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The District Collector, Adilabad directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants of O.P.No.21/91 under PJP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above shall be debitable to the following Head of Account "2701- Capital Out Lay –M & MI – 01–Major Irrigation Commercial – MH.116 –Sriramasagar Project –GH.11 – Normal State Plan – SH (26) Dams & Appurtenant works – 530/532 lands (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No. SP 9217/F4(2)/2087-1, dated 17.07.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Collector, Adilabad District.
The Chief-in- Engineer, Minor Irrigation, Erramanzil, Hyderabad.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.19145/LA-III(A2)/2008
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER